UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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CANTOR COLBURN LLP
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

EXAMINER
TAYLOR, BARRY W

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DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2003* .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6</u> .   6)☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 1-11, 15-16 and 18-26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al

(6,058,170 hereinafter Jagadish) further in view of Jagadish et al (6,125,173).

Regarding claim 1. Kay teaches an intelligent switched telephone network

(abstract) having a plurality of Advanced Intelligent Network (AIN) components (col. 2

lines 45-67, columns 3-7), a method for providing usage pattern for a customer of a

telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern

providing historical information concerning the customer's use of the

telecommunications systems.

Kay does not explicitly show receiving a query from customer using a computer

device whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the

method and system automatically generating telephone bills that include customer

defined or requested summary information (abstract). The bill may be generated

periodically, on a predetermined schedule, or upon demand of the customer (abstract).

Jagadish also discloses that "Online" access to summary information is also provided

(see last line of abstract). Jagadish cites the Kay patent and notes that it should be

noted that there are an abundance of protocols and transmission media that may be

used for passing the data (see References cited by Kay and columns 1-2). Jagadish

further notes that updated summary information may be accessed whenever desired.

For example, a bill may be generated in real-time upon demand of a customer (col. 3

lines 30-52) and summary information stored in a Summary Database may also be

made available to customers without generating a bill (col. 3 line 52-54). Jagadish also

discloses that "Snapshot" summaries, of the current status of the customer's account,

may be generated and online access to summary information may be provided by using

online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses

customer profile 166 includes summary parameters 167 that define the summary

information that is to be generated and updated for the customer. For example,

summary parameters 167 may specify that summary information be compiled based on

the number of call minutes since the last bill, the total cost of the calls made on a

particular day, or on each day, during the billing period, the total cost of calls made to

each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

According to Applicant (see paper number 5, Amendment "A", dated 6/18/03,

pages 15-18) the references cited by the Examiner fail to teach the amended claim

language: "causing the historical information of the usage pattern to be compared with a

predetermined billing plan" whereby the customer uses the computer device to access the usage pattern "and controls the use of the telecommunication system based on a comparison result" as recited in Applicant's independent claims.

Jagadish et al (6,125,173) teaches a method and system of telephone call processing that provides information to customers while telephone calls are made (Title, abstract). Jagadish et al (6,125,173) discloses that in addition to the priced call value determined according to the billing plan to which the customer subscribes, the billing analysis system may also generate exemplary summary information based on other billing plans which may be available (columns 1-2, col. 3 line 52 – col. 4 line 67). Jagadish et al (6,125,173) even discloses using messages (col. 6 lines 12-53) set to the subscriber indicating "You would have saved $2.07 this billing period if you subscribed to billing plan A. For more information about this or other billing plans, please call 1-800-555-5555." As well as indicating the savings the customer achieved with the current subscribed billing plan, "You saved $3.15 by subscribing to your current billing plan".

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay in view of Jagadish to notify the subscriber as taught by Jagadish et al (6,125,173) so that the customer may acquire summary information in real-time as taught by Jagadish indicating the savings the subscriber achieved with the current billing plan, as well as, the savings that would have been achieved if the subscriber subscribed to an alternative billing plan as taught by Jagadish et al (6,125,173).

Regarding claim 2. Kay teaches using Advanced Intelligent Network and Integrated Service Control Point (col. 2 line 45 – col. 3 line 30).

Regarding claim 3. Kay teaches usage pattern comprises at least the number of calls received by the customer (see figures 6A-6B wherein "Number of Calls" for incoming calls by day of week and time of day and figure 6C wherein "Number of Calls" received).

Regarding claim 4. Kay teaches usage pattern comprises at least telephone number of called party (see figure 3 and col. 5 lines 52-59).

Regarding claim 5. Kay teaches usage pattern comprises at least telephone number of calling party (see figure 3 and col. 5 lines 52-59).

Regarding claim 6. Kay teaches wherein acquiring information concerning at least date and time made by customer (see figure 3 and col. 5 lines 52-59).

Regarding claim 7. Kay teaches wherein acquiring information concerning the calling party (see figure 3 and "caller ID" column 5).

Regarding claim 8. Kay teaches wherein acquiring information concerning the identity of a calling party terminating the telephone call before the call is answered (see col. 2 lines 36-57, col. 3 lines 9-18, figure 3, col. 5 lines 14-67).

Regarding claim 9. Kay teaches wherein acquiring at least total number of calls made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure 6A).

Regarding claim 10. Kay teaches wherein acquiring at least total number of calls made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure 6A).

Regarding claim 11. Kay does not explicitly show using billing information.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract). Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3 lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account, may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on

the number of call minutes since the last bill, the total cost of the calls made on a

particular day, or on each day, during the billing period, the total cost of calls made to

each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Therefore, it would have been obvious for any one of ordinary skill in the art at

the time of the invention to modify the method and system as taught by Kay to use the

"ONLINE" terminal as taught by Jagadish so that the customer may acquire summary

information in real-time as taught by Jagadish.

Regarding claim 15. Kay teaches an intelligent switched telephone network

(abstract) having a plurality of Advanced Intelligent Network (AIN) components (col. 2

lines 45-67, columns 3-7), a method for providing usage pattern for a customer of a

telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern

providing historical information concerning the customer's use of the

telecommunications systems.

Kay does not explicitly show receiving a query from customer using a device

whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the

method and system automatically generating telephone bills that include customer

defined or requested summary information (abstract). The bill may be generated

periodically, on a predetermined schedule, or upon demand of the customer (abstract).

Jagadish also discloses that "Online" access to summary information is also provided

(see last line of abstract). Jagadish cites the Kay patent and notes that it should be

noted that there are an abundance of protocols and transmission media that may be

used for passing the data (see References cited by Kay and columns 1-2). Jagadish

further notes that updated summary information may be accessed whenever desired.

For example, a bill may be generated in real-time upon demand of a customer (col. 3

lines 30-52) and summary information stored in a Summary Database may also be

made available to customers without generating a bill (col. 3 line 52-54). Jagadish also

discloses that "Snapshot" summaries, of the current status of the customer's account,

may be generated and online access to summary information may be provided by using

online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses

customer profile 166 includes summary parameters 167 that define the summary

information that is to be generated and updated for the customer. For example,

summary parameters 167 may specify that summary information be compiled based on

the number of call minutes since the last bill, the total cost of the calls made on a

particular day, or on each day, during the billing period, the total cost of calls made to

each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

According to Applicant (see paper number 5, Amendment "A", dated 6/18/03,

pages 15-18) the references cited by the Examiner fail to teach the amended claim

language: "causing the historical information of the usage pattern to be compared with a

predetermined billing plan" whereby the customer uses the computer device to access

the usage pattern "and controls the use of the telecommunication system based on a comparison result" as recited in Applicant's independent claims.

Jagadish et al (6,125,173) teaches a method and system of telephone call processing that provides information to customers while telephone calls are made (Title, abstract). Jagadish et al (6,125,173) discloses that in addition to the priced call value determined according to the billing plan to which the customer subscribes, the billing analysis system may also generate exemplary summary information based on other billing plans which may be available (columns 1-2, col. 3 line 52 – col. 4 line 67). Jagadish et al (6,125,173) even discloses using messages (col. 6 lines 12-53) set to the subscriber indicating "You would have saved $2.07 this billing period if you subscribed to billing plan A. For more information about this or other billing plans, please call 1-800-555-5555." As well as indicating the savings the customer achieved with the current subscribed billing plan, "You saved $3.15 by subscribing to your current billing plan".

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay in view of Jagadish to notify the subscriber as taught by Jagadish et al (6,125,173) so that the customer may acquire summary information in real-time as taught by Jagadish indicating the savings the subscriber achieved with the current billing plan, as well as, the savings that would have been achieved if the subscriber subscribed to an alternative billing plan as taught by Jagadish et al (6,125,173).

Regarding claim 16. Kay teaches using Advanced Intelligent Network and

Integrated Service Control Point (col. 2 line 45 – col. 3 line 30).

Regarding claim 18. Kay teaches usage pattern comprises at least the number

of calls received by the customer (see figures 6A-6B wherein "Number of Calls" for

incoming calls by day of week and time of day and figure 6C wherein "Number of Calls"

received).

Regarding claim 19. Kay teaches usage pattern comprises at least telephone

number of called party (see figure 3 and col. 5 lines 52-59).

Regarding claim 20. Kay teaches usage pattern comprises at least telephone

number of calling party (see figure 3 and col. 5 lines 52-59).

Regarding claim 21. Kay teaches wherein acquiring information concerning at

least date and time made by customer (see figure 3 and col. 5 lines 52-59).

Regarding claim 22. Kay teaches wherein acquiring information concerning the

calling party (see figure 3 and "caller ID" column 5).

Regarding claim 23. Kay teaches wherein acquiring information concerning the

identity of a calling party terminating the telephone call before the call is answered (see

col. 2 lines 36-57, col. 3 lines 9-18, figure 3, col. 5 lines 14-67).

Regarding claim 24. Kay teaches wherein acquiring at least total number of calls

made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure

6A).

Regarding claim 25. Kay teaches wherein acquiring at least total number of calls made during a calendar interval (col. 2 lines 45-57, see "Day of Week Results" figure 6A).

Regarding claim 26. Kay does not explicitly show using billing information.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated periodically, on a predetermined schedule, or upon demand of the customer (abstract). Jagadish also discloses that "Online" access to summary information is also provided (see last line of abstract). Jagadish cites the Kay patent and notes that it should be noted that there are an abundance of protocols and transmission media that may be used for passing the data (see References cited by Kay and columns 1-2). Jagadish further notes that updated summary information may be accessed whenever desired. For example, a bill may be generated in real-time upon demand of a customer (col. 3 lines 30-52) and summary information stored in a Summary Database may also be made available to customers without generating a bill (col. 3 line 52-54). Jagadish also discloses that "Snapshot" summaries, of the current status of the customer's account, may be generated and online access to summary information may be provided by using online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on

the number of call minutes since the last bill, the total cost of the calls made on a

particular day, or on each day, during the billing period, the total cost of calls made to

each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Therefore, it would have been obvious for any one of ordinary skill in the art at

the time of the invention to modify the method and system as taught by Kay to use the

"ONLINE" terminal as taught by Jagadish so that the customer may acquire summary

information in real-time as taught by Jagadish.

2.   Claims 12 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al (6,058,170

hereinafter Jagadish) further in view of Jagadish et al (6,125,173) and Hill (5,953,398).

Regarding claims 12 and 27. Kay does not explicitly show acquiring information

concerning unused minutes. However, Jagadish et al (6,058,170) discloses snapshot

summaries, of the current status of the customer's account, as well as, online access to

summary information and Jagadish et al (6,125,173) discloses information may include

actual and exemplary customer account information, such as the customer's account

balance, exemplary balance under an exemplary discount billing plan, saving under an

exemplary discount billing plan, etc.

Hill teaches prepaid long-distance telephone service (Title, abstract) wherein

voice files are used to provide an announcement of remaining minutes or dollars to the

user (col. 5 lines 38-45).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay in view of Jagadish to include prepaid long-distance information as taught by Hill so that the customer may acquire summary information in real-time with respect to prepaid dollars or minutes remaining on the account.

3.   Claims 13, 17 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al (6,058,170 hereinafter Jagadish) further in view of Jagadish et al (6,125,173) and Wang et al (6,161,134 hereinafter Wang).

Regarding claims 13 and 28. Kay does not explicitly show verifying an identity of the customer.

The Examiner notes that verifying an identity of the customer, as defined in claim 13, is an obvious measure to a person with minimum skill in the art. Furthermore, Jagadish discloses "Online" access which obviously includes "Online" security.

If not, Wang also discloses method, apparatus and communications system wherein call history information is provided to user (see figures 23 and 24) and using profiles to verify an identity of the customer, determine user access to long distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the

"ONLINE" terminal as taught by Jagadish including firewall protection as taught by Wang so that the customer may first be verified before allowing the customer to acquire summary information in real-time.

Regarding claim 17. Kay does not explicitly show receiving a query from a wireless customer.

Jagadish teaches wireless links (column 2).

Wang also discloses method, apparatus and communications system wherein call history information is provided to user (see wireless user figures 23 and 24, col. 10 lines 41-56) and using profiles to verify an identity of the customer, determine user access to long distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish including firewall protection as taught by Wang so that the customer may first be verified before allowing the customer to acquire summary information.

4.   Claims 14 and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kay et al (5,754,634 hereinafter Kay) in view of Jagadish et al (6,058,170 hereinafter Jagadish) further in view of Jagadish et al (6,125,173), Wang et al (6,161,134 hereinafter Wang) and Hill (5,953,398).

Regarding claims 14 and 29. Kay teaches an intelligent switched telephone

network (abstract) having a plurality of Advanced Intelligent Network (AIN) components

(col. 2 lines 45-67, columns 3-7), a method for providing usage pattern for a customer of

a telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern

providing historical information concerning the customer's use of the

telecommunications systems.

Kay does not explicitly show receiving a query from customer using a computer

device whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the

method and system automatically generating telephone bills that include customer

defined or requested summary information (abstract). The bill may be generated

periodically, on a predetermined schedule, or upon demand of the customer (abstract).

Jagadish also discloses that "Online" access to summary information is also provided

(see last line of abstract). Jagadish cites the Kay patent and notes that it should be

noted that there are an abundance of protocols and transmission media that may be

used for passing the data (see References cited by Kay and columns 1-2). Jagadish

further notes that updated summary information may be accessed whenever desired.

For example, a bill may be generated in real-time upon demand of a customer (col. 3

lines 30-52) and summary information stored in a Summary Database may also be

made available to customers without generating a bill (col. 3 line 52-54). Jagadish also

discloses that "Snapshot" summaries, of the current status of the customer's account,

may be generated and online access to summary information may be provided by using

online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses customer profile 166 includes summary parameters 167 that define the summary information that is to be generated and updated for the customer. For example, summary parameters 167 may specify that summary information be compiled based on the number of call minutes since the last bill, the total cost of the calls made on a particular day, or on each day, during the billing period, the total cost of calls made to each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Kay does not explicitly show verifying an identity of the customer.

The Examiner notes that verifying an identity of the customer, as defined in claims 14 and 29, is an inherent and/or obvious measure to a person with minimum skill in the art. Furthermore, Jagadish discloses "Online" access which would inherently and/or obviously include some "Online" security.

If not, Wang also discloses method, apparatus and communications system wherein call history information is provided to user (see figures 23 and 24) and using profiles to verify an identity of the customer, determine user access to long distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Kay does not explicitly show acquiring information concerning unused minutes. However, Jagadish et al (6,058,170) discloses snapshot summaries, of the current status of the customer's account, as well as, online access to summary information and Jagadish et al (6,125,173) discloses information may include actual and exemplary

customer account information, such as the customer's account balance, exemplary

balance under an exemplary discount billing plan, saving under an exemplary discount

billing plan, etc.

Hill teaches prepaid long-distance telephone service (Title, abstract) wherein

voice files are used to provide an announcement of remaining minutes or dollars to the

user (col. 5 lines 38-45).

According to Applicant (see paper number 5, Amendment "A", dated 6/18/03,

pages 15-18) the references cited by the Examiner fail to teach the amended claim

language: "causing the historical information of the usage pattern to be compared with a

predetermined billing plan" whereby the customer uses the computer device to access

the usage pattern "and controls the use of the telecommunication system based on a

comparison result" as recited in Applicant's independent claims.

Jagadish et al (6,125,173) teaches a method and system of telephone call

processing that provides information to customers while telephone calls are made (Title,

abstract). Jagadish et al (6,125,173) discloses that in addition to the priced call value

determined according to the billing plan to which the customer subscribes, the billing

analysis system may also generate exemplary summary information based on other

billing plans which may be available (columns 1-2, col. 3 line 52 – col. 4 line 67).

Jagadish et al (6,125,173) even discloses using messages (col. 6 lines 12-53) set to the

subscriber indicating "You would have saved $2.07 this billing period if you subscribed

to billing plan A. For more information about this or other billing plans, please call 1-

800-555-5555." As well as indicating the savings the customer achieved with the current subscribed billing plan, "You saved $3.15 by subscribing to your current billing plan".

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of the invention to modify the method and system as taught by Kay to use the "ONLINE" terminal as taught by Jagadish (6,058,170) including firewall protection as taught by Wang so that the customer may first be verified before allowing the customer to acquire summary information as taught by Jagadish (6,125,173) indicating the savings the subscriber achieved with the current billing plan, as well as, indicating prepaid long-distance information as taught by Hill.

Regarding claims 30 and 34-35. Kay teaches an intelligent switched telephone network (abstract) having a plurality of Advanced Intelligent Network (AIN) components (col. 2 lines 45-67, columns 3-7), a method for providing usage pattern for a customer of a telecommunications systems (see usage patterns in figures 6A-6C), the usage pattern providing historical information concerning the customer's use of the telecommunications systems.

Kay does not explicitly show receiving a query from customer using a computer device whereby the customer uses the computer device to access usage pattern.

Jagadish teaches telephone billing with summary information wherein the method and system automatically generating telephone bills that include customer defined or requested summary information (abstract). The bill may be generated

periodically, on a predetermined schedule, or upon demand of the customer (abstract).

Jagadish also discloses that "Online" access to summary information is also provided

(see last line of abstract). Jagadish cites the Kay patent and notes that it should be

noted that there are an abundance of protocols and transmission media that may be

used for passing the data (see References cited by Kay and columns 1-2). Jagadish

further notes that updated summary information may be accessed whenever desired.

For example, a bill may be generated in real-time upon demand of a customer (col. 3

lines 30-52) and summary information stored in a Summary Database may also be

made available to customers without generating a bill (col. 3 line 52-54). Jagadish also

discloses that "Snapshot" summaries, of the current status of the customer's account,

may be generated and online access to summary information may be provided by using

online terminal (see 170 figure 1B, col. 3 line 54 – col. 8 line 18). Jagadish discloses

customer profile 166 includes summary parameters 167 that define the summary

information that is to be generated and updated for the customer. For example,

summary parameters 167 may specify that summary information be compiled based on

the number of call minutes since the last bill, the total cost of the calls made on a

particular day, or on each day, during the billing period, the total cost of calls made to

each of a given set of numbers, area codes, cities, states, countries, etc (columns 4-5).

Wang also discloses method, apparatus and communications system wherein

call history information is provided to user (see figures 23 and 24, col. 10 lines 41-56)

and using profiles to verify an identity of the customer, determine user access to long

distances services, firewall protected data, etc (see bottom of column 19 continuing to top of column 20).

Kay does not explicitly show acquiring information concerning unused minutes. However, Jagadish et al (6,058,170) discloses snapshot summaries, of the current status of the customer's account, as well as, online access to summary information and Jagadish et al (6,125,173) discloses information may include actual and exemplary customer account information, such as the customer's account balance, exemplary balance under an exemplary discount billing plan, saving under an exemplary discount billing plan, etc.

Hill teaches prepaid long-distance telephone service (Title, abstract) wherein voice files are used to provide an announcement of remaining minutes or dollars to the user (col. 5 lines 38-45).

According to Applicant (see paper number 5, Amendment "A", dated 6/18/03, pages 15-18) the references cited by the Examiner fail to teach the amended claim language: "causing the historical information of the usage pattern to be compared with a predetermined billing plan" whereby the customer uses the computer device to access the usage pattern "and controls the use of the telecommunication system based on a comparison result" as recited in Applicant's independent claims.

Jagadish et al (6,125,173) teaches a method and system of telephone call processing that provides information to customers while telephone calls are made (Title, abstract). Jagadish et al (6,125,173) discloses that in addition to the priced call value

determined according to the billing plan to which the customer subscribes, the billing

analysis system may also generate exemplary summary information based on other

billing plans which may be available (columns 1-2, col. 3 line 52 – col. 4 line 67).

Jagadish et al (6,125,173) even discloses using messages (col. 6 lines 12-53) set to the

subscriber indicating "You would have saved $2.07 this billing period if you subscribed

to billing plan A. For more information about this or other billing plans, please call 1-

800-555-5555." As well as indicating the savings the customer achieved with the

current subscribed billing plan, "You saved $3.15 by subscribing to your current billing

plan".

Therefore, it would have been obvious for any one of ordinary skill in the art at

the time of the invention to modify the method and system as taught by Kay to use the

"ONLINE" terminal as taught by Jagadish (6,058,170) including firewall protection as

taught by Wang so that the customer may first be verified before allowing the customer

to acquire summary information as taught by Jagadish (6,125,173) indicating the

savings the subscriber achieved with the current billing plan, as well as, indicating

prepaid long-distance information as taught by Hill.

Regarding claims 31 and 33. Wang teaches displaying usage pattern (see

figures 23 and 24, col. 10 lines 41-56, columns 19-20).

Regarding claim 32. Wang teaches wireless (**see wireless user figures 23 and

24, col. 10 lines 41-56**).

Response to Arguments

5.   Applicant's arguments with respect to claims 1-35 have been considered but are
moot in view of the new ground(s) of rejection.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in
this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
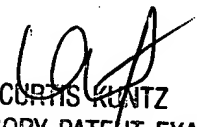CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not
mailed until after the end of the THREE-MONTH shortened statutory period, then the
shortened statutory period will expire on the date the advisory action is mailed, and any
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
the advisory action. In no event, however, will the statutory period for reply expire later
than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Barry W. Taylor whose telephone number is (703) 305-
4811. The examiner can normally be reached on Monday-Friday from 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Curtis Kuntz can be reached on (703) 305-4708. The fax phone number for

this Group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to Technology Center 2600 customer service Office

whose telephone number is (703) 306-0377.

CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600